



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Robert C. STEVENS
TITLE : **REINFORCED CATHETER DEVICE,
CATHETER STOCK, AND
METHODS AND APPARATUS FOR
MAKING SAME**
APPLICATION NO. : 10/075,053
FILED : February 13, 2002
CONFIRMATION NO. : 8092
EXAMINER : Kevin C. Sirmons
ART UNIT : 3763
LAST OFFICE ACTION : December 3, 2004
ATTORNEY DOCKET NO. : RSTZ 2 00011-3

STATEMENT OF SUBSTANCE OF INTERVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A telephonic interview was conducted in connection with the above-identified patent application on February 7, 2005. The substance of that interview is as follows:

Brief Description of the Nature of Any Exhibit Shown or Any Demonstration Conducted:

None.

Identification of the Claims Discussed:

All pending claims generally.

Identification of the Specific Prior Art Discussed:

None.

Identification of the Principal Proposed Amendments of a Substantive Nature Discussed, Unless these are Already Described on the Interview Summary Form Completed by the Examiner:

None.

Brief Identification of the General Thrust of the Principal Arguments Presented to the Examiner:

Applicant's representative respectfully requested a clarification to the Office Action mailed December 3, 2004. During the telephonic interview mistakes by the Office were noted and a clarification was requested, preferably in the form of a new Office Action with a restarted period for response, or a Notice of Allowance. Despite assurances, however, the Examiner has failed to clarify the record in any real way.

More particularly, the "Supplemental to Interview Summary" incorrectly identifies the claims pending in the application. Claims 41-51 were added in the Amendment A filed on September 10, 2004 and dated September 7, 2004. A copy of that Amendment A together with a copy of a transmittal sheet showing three (3) independent claims and a total of twenty-five (25) claims is included for the Examiner's convenience. As can be seen clearly from the record, claims 41-51 are pending in this application yet they were not examined by the Examiner.

However, the Office Action mailed on December 3, 2004 was a simple word processing response to the efforts applicant and his representative made in attempting to advance this application to issuance through diligent prosecution. As can be seen from the record, the Examiner simply used a "copy and paste"

function of his word processor as an answer to the Amendment A by copying directly portions of the initial Office Action mailed on June 4, 2004.

Applicant and his representative respectfully requested cooperation from the Examiner in the form of a new Office Action which, at a minimum, correctly identifies the claims pending in the application.

The Office Action of December 3, 2004 did include a small new work product contribution from the Examiner in the form of a "Response to Arguments" paragraph which is appreciated. However, the Examiner took the position in that paragraph that "features upon which the applicant relies (i.e., the reinforcement member in the prior art does not extend fully between the proximal and distal ends of the catheter) are not recited in the rejected claims". Applicant respectfully requested that the Examiner carefully read the pending claims.

More particularly, independent claim 1 recites a continuous coil reinforcement member carried on the elongate flexible tubular member and extending from the proximal end of the catheter to the distal end of the catheter.

Further, independent claim 24, which is believed to be allowed, recites a continuous coil reinforcement member carried on the elongate flexible tubular member and extending from the lead end of the catheter stock to the trailing end of the catheter stock.

At least independent claims 1 and 24 recite the feature which the Examiner took the position was not recited in the rejected claims.

Next in paragraph at the end of the Office Action, the Examiner stated in the record that "[i]t is the Examiner's position that the reinforcement extends in sections from the proximal end to the distal end." Applicant's representative did not understand this at all. Accordingly, applicant respectfully requested that the Examiner prepare a clarification to the previous Office Action or forward a notification of allowance of the pending claims as soon as possible.

General Indication of any other Pertinent Matters Discussed:

None

General Results or Outcome of the Interview:

Applicant is awaiting new Office Action and restarted statutory period.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

03 MAY 05
Date

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CERTIFICATE OF MAILING

I certify that this Statement of Substance of Interview and accompanying document(s) are being

☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.

☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date May 3, 2005	Printed Name Barbara Brazier

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